IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE M.SASIDHARAN NAMBIAR

WEDNESDAY, THE 8TH AUGUST 2007 / 17TH SRAVANA 1929

SA.No. 523 of 2000(D)

AS.185/1991 of DISTRICT COURT, KOTTAYAM
OS.558/1988 of PRL.SUB COURT,KOTTAYAM

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APPELLANT/APPELLANT/PLAINTIFF:

THRESSIAMMA, W/O.VARKEY, KATTAR PATHIYIL,
KURUVILANGAD KARA, KURUVILANGAD VILLAGE.

BY ADV. SRI.ANIL THOMAS (MELEMALAYIL)
SRI.JOSE ABRAHAM
SRI.SIJU P.KURIAKOSE

RESPONDENTS/RESPONDENTS/RESPONDENTS:

1. SAIMON, S/O.THOMAS, AGED ABOUT 58, NALLAMATTATHIL AREEKARA KARA, UZHAVOOR VILLAGE.

2. THE KERALA FINANCIAL CORPORATION LTD., REP. BY SECRETARY, FINANCIAL CORPORATION LTD., THIRUVANANTHAPURAM

3. JOSEPH, AGED ABOUT 58, S/O.VARKEY, KATTUR PATHIYIL, KURUVILANGAD KARA, KURUVILANGAD VILLAGE.

R2 DELETED FROM THE PARTY ARRAY AT THE RISK OF THE APPELLANT AS PER ORDER DATED 8/8/07 IN IA 1410/07 IN SA

BY ADV. SRI.R.RAMADAS
SRI.V.B.UNNIRAJ
SMT.BINDIYA KRISHNA
SMT.K.SEEMA

THIS SECOND APPEAL HAVING BEEN FINALLY HEARD ON 08/08/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

M.SASIDHARAN NAMBIAR,J.

S.A.NO. 523 OF 2000

Dated 8th August 2007

J U D G M E N T

Appellant is the plaintiff. Suit was filed for declaring the sale deed executed in favour of first defendant is void and for consequential relief. Suit was dismissed. First appeal was also dismissed. Appellant filed I.A.1410 of 2007, to delete second respondent from party array. It was allowed at the risk of the appellant.

2. Appellant along with other defendants filed I.A.1409 of 2007 to record the compromise. Compromise is recorded. Appeal is disposed in terms of the compromise. Compromise petition forms part of the decree. It is made clear that decree is not binding on second defendant who is deleted as per order in I.A.1410/07.

M.SASIDHARAN NAMBIAR,
JUDGE.

uj.

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M.SASIDHARAN NAMBIAR,J.

JUDGMENT

S.A.NO.523 OF 2000

8th August 2007

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